

Federal Defenders  
OF NEW YORK, INC.

Eastern District  
One Pierrepont Plaza - 16th Floor, Brooklyn, NY, 10463  
Tel: (718) 330-1200 Fax: (718) 855-0760

Leonard F. Joy  
Executive Director and  
Attorney-in-Chief

Eastern District  
Peter Kirchheimer  
Attorney-in-Charge

**By Hand and ECF**

AUSA Jeffrey Goldberg  
AUSA John Nowak  
Assistant United States Attorneys  
Eastern District of New York  
245 Cadman Plaza East  
Brooklyn, NY 11201

September 24, 2010

**RE: United States v. Philip Barry, 09 CR 833 (RJD)**

Dear AUSAs Goldberg and Nowak:

Please be advised that the defense intends to call William Rieber as an expert witness. Mr. Rieber will provide expert testimony as to real estate values and trends in Sullivan County. Mr. Rieber is either already familiar with, or will familiarize himself with, Barry's specific properties. The defense anticipates Mr. Rieber will testify that Barry's holdings at one time appeared to be worth considerably more than the ultimate price recovered for them at the bankruptcy auction. Mr. Rieber will testify as to the prices of land generally in Sullivan County, and detail specific aspects of Barry's holdings (e.g. proximity to lakes and major roads, sewer systems), that may have added particular value to his parcels. He will testify, *inter alia*, that prime development property in the area of Barry's holdings has at times sold for \$20,000 to \$25,000 per acre. He will further testify as to how the national housing collapse impacted Sullivan County.

Mr. Rieber has been a licensed realtor in Monticello since the 1970s and was a deputy supervisor in the Town of Thompson for 15 years, involved in the review of development projects in the town. He has personally been involved in hundreds of real estate transactions in the area as a broker, buyer, seller and developer of property.

Very truly yours,

/s/

Michael Weil, Esq.  
Lisa Hoyes, Esq.  
(718) 407-7413

cc: Clerk of Court (by ECF only)